

of the applied reference). The Examiner requested that Applicant resubmit the previously filed Request for Reconsideration, and further stated that the rejection would be withdrawn, in view of the re-submitted arguments, subject to further search and consideration. The Examiner noted that the next Office Action would be non-final if, after further search and consideration, an additional reference(s) was applied as a new grounds of rejection.

The Office Action rejects claims 1-31 under 35 U.S.C. § 102(e) as allegedly being anticipated by JOAO (U.S. Patent No. 5,917,405). Reconsideration of the outstanding rejections of claims 1-31 is respectfully requested in view of the following remarks.

As previously discussed in Applicant's response to the Office Action dated October 3, 2000, systems and methods consistent with the present invention provide a tracking service that permits service subscribers to customize alarm condition parameters associated with a monitored tracked device. For example, in an exemplary embodiment illustrated in FIG. 12, a "web" browser application may be used by a subscriber to select and define parameters that serve as alarm conditions for alerting the subscriber of alarm events associated with a tracked device. Using the "web" browser, the subscriber may customize the alarm conditions by, for example, selecting different parameters (e.g., emergency, accelerometer, speed, inclinometer, oxygen, temperature, blood oxygen, pulse) and defining the conditions that indicate the occurrence of an alarm event (e.g., acceleration $>30 \text{ m/s}^2$, speed $>70 \text{ KPH}$). A tracking server receives the subscriber selected and defined alarm conditions and stores the alarm conditions in memory. The tracking server can monitor data, including, for example, location, speed and/or acceleration data, transmitted from a tracked device associated with a subscriber, and compare the data to the

subscriber selected and defined alarm conditions stored in memory. When a comparison of the data and the subscriber selected and defined alarm conditions indicates the occurrence of one or more alarm events, the tracking server notifies the subscriber.

Claim 1 recites “a data structure encoded on a computer readable medium, comprising: first data indicating an identity of a subscriber of a tracking device; second data indicating one or more subscriber selected and defined alarm conditions, said alarm conditions indicating conditions under which one or more alarm events associated with a device occur, the one or more alarm events corresponding to at least one of an environment, movement, and operation of the device; and third data indicating one or more methods of contacting said subscriber in the event said one or more alarm events occur.”

JOAO discloses an apparatus that may be utilized in conjunction with an on-line service over the Internet to monitor vehicle system status, position, and movement (see column 50, lines 10-30). The on-line service of JOAO further provides for the remote control of systems associated with a vehicle by a service user (see column 50, lines 50-65). JOAO, however, contains no suggestion or teaching of the *selection* and *definition* of alarm conditions by a user of the on-line service. JOAO, thus, does not disclose or suggest “subscriber *selected* and *defined* alarm conditions” that indicate “conditions under which one or more alarm events associated with a device occur” as recited in claim 1. Applicant, therefore, respectfully submits that JOAO does not anticipate the invention of claim 1. Accordingly, withdrawal of the rejection of claim 1 under 35 U.S.C. §102(e) is respectfully requested.

Claims 2-4 depend from claim 1. These claims, therefore, patentably distinguish over JOAO for reasons similar to those set forth with respect to claim 1 above. In addition to the deficiencies in the teachings of JOAO noted above with respect to claim 1, Applicant additionally notes that JOAO does not suggest or disclose various features of dependent claims 2-4. For example, JOAO does not suggest or disclose “fourth data indicating a permissible geographic area associated with said device” as recited in claim 2. Additionally, JOAO does not suggest or disclose “fifth data indicating an order of selecting said one or more methods when contacting said subscriber” as recited in claim 4.

Independent claims 5, 6, 12, 13, 14, 20 and 21 recite, among other features, the “subscriber selected and defined alarm conditions” features discussed above with respect to claim 1. These claims, therefore, patentably distinguish over JOAO for reasons similar to those set forth with respect to claim 1 above.

Claims 7-11 variously depend from claim 6. These claims, therefore, patentably distinguish over JOAO for reasons similar to those set forth with respect to claim 6 above. In addition to the deficiencies in the teachings of JOAO noted above with respect to claim 6, Applicant notes that JOAO does not suggest or disclose various features of dependent claims 7-11. For example, JOAO does not suggest or disclose “wherein said one or more subscriber defined alarm conditions includes one or more geographic boundaries associated with a location of said first communication device” as recited in claim 10. Additionally, JOAO does not suggest or disclose “wherein said one or more subscriber defined alarm conditions includes time period data corresponding to each of said one or more geographic boundaries” as recited in claim 11.

Independent claims 22, 23 and 24 recite, among other features, “subscriber-defined alarm conditions,” similar to the distinguishing features discussed above with respect to claim 1. These claims, therefore, patentably distinguish over JOAO for reasons similar to those set forth with respect to claim 1 above.

Claim 25 recites a graphical user interface that includes, among other features, “a second activation area on the graphical display activating creation of a second data entry group, a second graphical area associated with said second data entry group displaying a plurality of alarm conditions associated with a device, said second data entry group accepting user selection of one or more of said plurality of alarm conditions upon activation.” Though JOAO mentions providing graphical information to a service user (see column 50, lines 57-62), JOAO contains no suggestion or teaching of a graphical user interface that accepts user selection of alarm conditions as recited in claim 25. Applicant, therefore, respectfully requests the withdrawal of the rejection of claim 25 under 35 U.S.C. §102(e).

Claims 26-28 depend from claim 25. These claims, therefore, patentably distinguish over JOAO for reasons similar to those set forth with respect to claim 25 above. In addition to the deficiencies in the teachings of JOAO noted above with respect to claim 25, Applicant notes that JOAO does not suggest or disclose various features of dependent claims 26-28. For example, JOAO does not suggest or disclose “a third graphical area ... requesting parameters for each user selected alarm condition, said parameters specifying limits on said alarm conditions” as recited in claim 26. Additionally, JOAO does not suggest or disclose “a third graphical area ... requesting

data indicating one or more permissible geographic areas, said permissible geographic areas specifying boundaries on a location of said device” as recited in claim 27.

Independent claims 29 and 30 recite “subscriber information including one or more subscriber-selected alarm conditions,” similar to the distinguishing features discussed above with respect to claim 1. Claims 29 and 30, therefore, patentably distinguishes over JOAO for reasons similar to those set forth with respect to claim 1 above.

Independent claim 31 recites “receiving a customized set of alarm conditions from a subscriber,” similar to the distinguishing features discussed above with respect to claim 1. Claim 31, therefore, patentably distinguishes over JOAO for reasons similar to those set forth with respect to claim 1 above.

Lastly, Applicant notes that an initialed copy of the Information Disclosure Citation (form PTO-1449), which was filed with the application, was not received with the current Office Action or the previous Office Action. Applicant respectfully requests that the Examiner acknowledge consideration of the documents cited on the previously filed PTO-1449.

In view of the foregoing remarks, Applicant respectfully requests the Examiner's reconsideration of this application, and the timely allowance of the pending claims. If any questions remain, the Examiner is invited to contact the undersigned at the telephone number listed below. To the extent necessary, a petition for an extension of time under 37 CFR 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 07-2339 and please credit any excess fees to such deposit account.

Respectfully submitted,

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